

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/5/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES BERKLAND,

Plaintiff,

vs.

EMAGIN CORPORATION, JILL J.
WITTELS, ERIC BRADDOM, PAUL
CRONSON, ELLEN RICHSTONE,
ANDREW G. SCULLEY, and STEPHEN
SEAY,

Defendants.

Case No.: 1:23-cv-05551-GHW

MEMORANDUM ENDORSED

**NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Notice is hereby given that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, plaintiff James Berkland ("Plaintiff") voluntarily dismisses his claims in the above captioned action without prejudice. This notice of dismissal is being filed before service by Defendants of either an answer or a motion for summary judgment. Plaintiff's dismissal of this Action is effective upon filing of this notice.

Dated: October 5, 2023

BRODSKY & SMITH

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Plaintiff has voluntarily dismissed this case without prejudice under F.R.C.P. 41(a)(1)(A)(i). The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: October 5, 2023

GREGORY B. WOODS
GREGORY B. WOODS
United States District Judge